

FISCAL NOTE

SB 2387 - HB 3256

February 12, 2000

SUMMARY OF BILL: Specifies that a general sessions judge may suspend court costs and litigation taxes for indigent criminal defendants for a period not to exceed 6 months. Current law specifies no time limit on the suspension. Provides that upon sentencing, a defendant convicted of a criminal offense shall be referred to the court clerk for immediate collection and disposition of all costs, fines and litigation taxes. Provides that any county by majority vote of its legislative body may establish a work project program for defendants who are unable to pay court costs, fines and litigation taxes. Specifies that defendants will receive credit for each completed workday in such program in an amount to be determined by the county, but may not be less than the prevailing minimum wage. Provides that counties are not liable for any injury sustained by a defendant while working in such work project program unless the county or its employee's negligence caused the injury.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - Net Impact - Less than \$100,000

Increase Local Govt. Revenues - Net Impact - Less than \$100,000

Increase Local Govt. Expenditures - Net Impact - Exceeds \$100,000/Permissive

Assumes:

- increases in state litigation tax and court costs and fines collected from the limitation on the suspension of such to 6 months.
- decrease in state and local government revenues from the credit towards litigation taxes, court costs and fines given to those participating in work project programs. The net impact on both state and local government revenues is estimated to be less than \$100,000.
- to the extent local governments choose to establish work project programs they will experience increased expenditures for the personnel to oversee the program and the costs of supervising those in the program. To the extent local governments choosing to establish such programs assign participants to do work that would have had to be completed at a cost to the local government they will experience a decrease in expenditures. The act does not mandate the participants work for the local government and thus may be assigned to work in other capacities in the community. The net impact on local government expenditures is estimated to exceed \$100,000 statewide. This provision is permissive.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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